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May 25, 2000

**VIA HAND DELIVERY**

David Waddell  
Executive Director  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

Re: Application of NorthPoint Communications, Inc. for a Certificate of Convenience and Necessity to Provide Competing Telecommunications Services Within Tennessee  
Docket No. 00-00049

Dear Mr. Waddell:

This submittal contains the responses of NorthPoint Communications, Inc. ("NorthPoint") to the Information Request dated May 12, 2000. An original and 13 copies are being provided.

**Numbering Issues**

**1. What is your company's expected demand for NXXs per NPA within a year of approval of your application?**

NorthPoint Communications Inc. ("NorthPoint") provides high-speed data network services using digital subscriber line ("DSL") technology to Internet Service Providers, broadband data service providers and long distance and local telephone companies. NorthPoint does not currently use, assign, require or order NXXs in connection with its provision of service. NorthPoint does not intend to use, assign, require or order any NXXs in connection with its provision of service in the State of Tennessee. To the extent NorthPoint does use NXXs in the future, NorthPoint will provide the Tennessee Regulatory Authority with estimates of NorthPoint's demand for NXXs in Tennessee if so requested.

**2. How many NXXs do you estimate that you will request from NANPA when you establish your service footprint?**

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Please see response to Question 1.

3. **When and in what NPA do you expect to establish your service footprint?**

Please see response to Question 1.

4. **Will the company sequentially assign telephone numbers within NXXs?**

Please see response to Question 1.

5. **What measures does the company intend to take to conserve Tennessee numbering resources?**

NorthPoint Communications Inc. ("NorthPoint") provides high-speed data network services using digital subscriber line ("DSL") technology to Internet Service Providers, broadband data service providers and long distance and local telephone companies. NorthPoint does not currently use, assign, require or order NXXs or other numbers in connection with its provision of service. NorthPoint does not intend to use, assign, require or order any NXXs in connection with its provision of service in the State of Tennessee. To the extent NorthPoint does use NXXs in the future, NorthPoint will provide the Tennessee Regulatory Authority with the measures NorthPoint will use to conserve Tennessee numbering resources.

6. **When ordering new NXXs for growth, what percentage fill of an existing NXX does the company use to determine when a request for a new NXX will be initiated?**

Please see response to Question 1.

**Tennessee Specific Operational Issues**

1. **How does the company intend to comply with TCA §65-21-114? In its description, please explain technically how the company will not bill for countywide calls within Tennessee.**

NorthPoint provides high-speed data network services using DSL technology to Internet Service Providers, broadband data service providers and long distance and local telephone companies. NorthPoint Communications, Inc. does not currently offer toll call service. NorthPoint does not charge a toll on any use of NorthPoint's service. If NorthPoint determines to offer toll service in the future, NorthPoint will inform the Tennessee

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Regulatory Authority prior to offering such service and will comply with § 65-21-114 and not charge for toll service on any telephone call made between two points in the same county.

- 2. Is the company aware of the Tennessee County Wide Calling Data Base maintained by BellSouth and the procedures to enter your telephone numbers on the database?**

Please see response to Question 1.

- 3. How does your company intend to provide metro area toll-free calling ("MAC") around Memphis, Nashville, Knoxville and Chattanooga?**

NorthPoint does not intend to offer metro area toll-free calling. Please see response to Question 1.

- 4. Is the company aware of the MAC database maintained by BellSouth and the procedures to enter your telephone numbers on the database?**

NorthPoint does not intend to offer metro area toll-free calling. Please see response to Question 1.

- 5. Please provide the name and telephone number of an employee of your company that will be responsible to work with the TRA on resolving customer complaints?**

Angela Driscoll, Regulatory Relations Specialist is the NorthPoint employee responsible to work with the TRA on resolving customer complaints. Ms. Driscoll may be reached at (415) 365-7525.

- 6. Does the company intend to telemarket its services in Tennessee? If yes, is the company aware of the telemarketing statutes and regulations found in TCA §65-4-401 et seq. and Chapter 1220-4-11?**

NorthPoint Communications, Inc. does not intend on telemarketing its services in Tennessee. If at any time in the future NorthPoint uses telemarketing to market its services in Tennessee, NorthPoint will comply with all rules and regulations of the Tennessee Regulatory Authority and the State of Tennessee.

### **Financial Requirements**

**TCA §65-4-125 amendment states that by September 1, 2000, all telecommunications service**

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providers subject to the control and jurisdiction of the authority, except those owners or operators of public telephone service who pay annual inspection and supervision fees pursuant to Tennessee Code Annotated, §65-4-301(b), or any telecommunications service provider that owns and operates equipment in Tennessee with a value of more than five million (\$5,000,000) shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding brought under this title or the Consumer Telemarketing Protection Act of 1990, by or on behalf of the authority.

NorthPoint Communications, Inc. will comply with TCA §65-4-125, and prior to September 1, 2000 will post a bond in the required amount of \$20,000.

We believe these responses adequately address the Authority's questions in the latest Information Request. If you have any questions, please feel free to call me at 252-2302.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC



By:  
April A. Ingram

AAI/

cc: Jeff Heins, Esq.  
Glenn Harris, Esq.